

REMARKS

The Application presently includes claims 16-35. Claims 16-35 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Dudley, U.S. Patent No. 3,589,466 ("Dudley '466"). No new matter has been added. Applicant respectfully traverses the rejections, and requests that the Examiner withdraw the rejections and pass the application to allowance.

Claim Rejections under U.S.C. § 102(b) of Claims 16-35

Claims 16-35 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Dudley, U.S. Patent No. 3,589,466 ("Dudley '466"). The Examiner states that Dudley '466 discloses an injury counteracting equipment comprising a path defining means 12; a carrier arrangement 3; a locking facility 13; wherein the carrier arrangement which is an adjustable seat rotates or swivels from a conventional upright seating position reducing the exposure of an occupant under accident occurring conditions.

While Applicant disagrees with the Examiner's assertions regarding Dudley '466, Applicant nonetheless has amended claims 16-21 and 24-28, cancelled claims 22-23 and 29-35 and added claims 36-39 to clarify the differences between Applicant's invention as claimed and Dudley '466. The Examiner asserts that the passenger compartment 3 of Dudley '466 is a carrier arrangement. However, even when assuming the passenger compartment 3 is a carrier arrangement for the purpose of this argument only, Dudley '466 does not disclose a carrier arrangement which can be secured to an existing conventional seat.

Specifically, in Dudley '466, a cylindrical passage compartment 3, which Examiner asserts is a carrier arrangement, is adapted to rotate about a horizontal axis which extends

transversely of the automobile. The passenger compartment has bearings which roll in tracks mounted on the vehicle chassis. The track is concentric with the cylindrical portion of the compartment, and the track contacts the compartment throughout its entire length. Upon sufficient impact, the entire passenger compartment 3, including the seat, seat anchor, vehicle floor, vehicle roof, and dashboard, will rotate about an axis on a concentric track. Therefore, to utilize the invention of Dudley '466, a vehicle must be specially manufactured with the passenger compartment 3 fully assembled and adapted to its purpose. Dudley '466 does not disclose a carrier arrangement which can be secured to an existing seat of a vehicle.

In contrast, the carrier arrangement in Applicant's invention as claimed is capable of being secured to an existing conventional seat to provide further safety measures to an existing vehicle. Claim 16 states "[a] vehicle secure attachment used for securing a vehicle seat to a vehicle without effectively altering at least the conventional seat to vehicle way of anchoring..." An element of the vehicle secure attachment is the carrier arrangement which is also recited in claim 16. The carrier arrangement comprises runners which are securable to a portion of a conventional seat. The runners are adapted to allow the seat to roll on a pair of arcuately formed rails. To adapt Applicant's invention as claimed to an existing vehicle, the existing seat is released from its anchoring location and is fitted to the runners of the carrier arrangement via a support and is subsequently anchored via the conventional seat anchoring means to the vehicle. Applicant's invention as claimed is not anticipated by Dudley '466 because Dudley '466 does not disclose an attachment, including a carrier arrangement, which can be secured to an existing seat to allow the seat to swivel rearwardly in the case of sudden vehicular deceleration.

Additionally, the Applicant's invention discloses a stoppage position for each runner of the carrier arrangement. Claim 16 states that the seat moves forward along a "path up to a position of carrier arrangement stoppage, as provided towards the leading end of the path defining means." Dudley '466 does not disclose any means of stopping the passenger compartment from moving.

Each of Applicant's dependent claims are further distinguishable from Dudley '466. For example, claim 18 is further distinguishable from Dudley '466 because Dudley does not disclose two adjacently spaced rails...[with] each rail being located in opposite seat side edge-region co-acting relationship with a seat..." In Dudley '466, the "track contacts the [passenger] compartment throughout its entire length." Dudley '466 does not disclose adjacently spaced rails which are in co-acting relationship with a seat. Therefore, claim 18 is further distinguishable from Dudley '466.

Claim 20 is further distinguishable from Dudley '466. As discussed above, Dudley '466 does not disclose "[a] vehicle securable attachment that is arranged to be interspaceably secured between a vehicle seat and a location of conventional seat anchoring in a way that requires little if any alteration to both such seat and such location of conventional seat anchoring and to the latter of which the attachment is thus directly anchorable."

Furthermore, Dudley '466 does not disclose the embodiment of Applicant's invention as claimed in claims 36 and 38. Claim 36 recites an attachment which may be installed by separating a conventional seat engaging support from its upper seat bed and interspacing the attachment between the seat engaging support and the upper bed such that the seat support

carrying the upper seat bed while the rails are secured to such seat engaging support. Claim 38 recites an embodiment of the invention wherein wheels of the carrier arrangement are stopped by closing off the ends of the rail. Dudley '466 does not disclose rails having closed ends to provide a stoppage for the carrier arrangement.

Claim 39 is also further distinguishable from Dudley '466. Claim 39 states that "said seat is rearwardly swivellable independently of a seat anchor, the floor, and the remainder of the cab of a vehicle." In Applicant's invention, the carrier arrangement comprises runners which are securable to a portion of a conventional seat. The runners are adapted to allow the seat to roll on a pair of arcuately formed rails. When there is a sufficient force, the carrier arrangement will guide the seat to swivel rearwardly independent of the seat anchoring, the floor, and the cab of the vehicle. Dudley '466 does not disclose a carrier arrangement adapted to swivel a seat rearwardly independent of the seat anchoring, the floor, and the cab of the vehicle.

Finally, Dudley '466 fails to teach or suggest the invention as recited in any of claims 16-22, 24-28, and 36-39.

Thus, Applicant submits that claims 16-22, 24-28, and 36-39 are in condition for allowance, and respectfully requests that the Examiner withdraw the rejection and pass the application to issuance.

Conclusion

In view of the above Amendments and Remarks, Applicant submits that the present application is in condition for allowance, and seeks early indication of the same. If the Examiner requires further information with respect to this application, the Examiner is invited to contact Applicant's attorney at (847) 537-3537 for a telephonic interview.

Respectfully submitted,

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